IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.496/2006

Bhoopendra Singh S/o Shri Bhagwan Singh
...defendant-appellant
Versus
Alok Mukherjee S/o Shri Avani Kumar Mukherjee
...plaintiff-respondent

Date of Order ::: 06.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Bhoopendra Singh, defendant-appellant, present-in-person with his Advocate Shri Sanjay Gangwal
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By the Court:-

Heard the appellant in-person and his counsel.

The plaintiff-respondent filed a suit for mandatory injunction in the lower court, which was decreed and the appeal of the defendant-appellant was also dismissed by the first appellate court.

I have considered the submissions of the appellant in-person as well as his counsel in the light of the findings of both the courts below and after considering their submissions I find that the controversial issues involved in the present case are relating to question of fact and there is concurrent finding of fact by both the courts below, which cannot be interfered with by this court in second appeal

under Section 100 of the C.P.C. I do not find any illegality or perversity in the findings of both the courts below.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.

//Jaiman//